

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES SCURLOCK,

Plaintiff,

v.

CHARTER
COMMUNICATION/SPECTRUM,

Defendant.

No. 4:18-CV-839 RWS

MEMORANDUM AND ORDER

Plaintiff has filed a civil suit and seeks leave to proceed in forma pauperis. Plaintiff is granted leave to proceed without payment of the filing fee. Also, the Court will direct plaintiff to show cause why this action should not be dismissed for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3).

Plaintiff alleges that he was electrocuted on September 23, 2016 while helping an employee of defendant Charter Communication/Spectrum install a cable box in plaintiff's home. Plaintiff states he suffers nerve damage and pain to his left arm and hand. He seeks damages of 100,000.00.

Federal courts are courts of limited jurisdiction. The Court has jurisdiction to hear cases involving the Constitution, laws, or treaties of the United States under 28 U.S.C. § 1331, and the Court can hear cases where diversity jurisdiction exists under 28 U.S.C. § 1332.

The instant action does not arise under the Constitution, laws, or treaties of the United States, so federal question jurisdiction pursuant to 28 U.S.C. § 1331 is inapplicable. Therefore, the Court may only hear this case if diversity jurisdiction exists.

It does not appear that diversity jurisdiction exists because plaintiff and defendant are citizens of the same state. As a result, the Court will order plaintiff to show cause why this action should not be dismissed for lack of jurisdiction.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis is **GRANTED**. [ECF No. 2]

IT IS FURTHER ORDERED that plaintiff must show cause no later than **June 22, 2018**, why this action should not be dismissed for lack of jurisdiction.

Dated this 7th day of June, 2018.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", is written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE